

Message

From: NIEHS FOIA Office [niehsfoia@niehs.nih.gov]
Sent: 3/1/2019 6:47:09 PM
To: Carey Gillam [careygillamnewsnow@gmail.com]
CC: Livingston, Tony (NIH/NIEHS) [E] [tony.livingston@nih.gov]; NIEHS FOIA Office [niehsfoia@niehs.nih.gov]
Subject: RE: follow up to discussion re FOIA requests NIH 47876 and NIH 50468

Thank you, Carey –

We will move forward as discussed.

I would also like to reassure you that you will be able to request a broader search if you are not satisfied with the results of the modified search, and subsequent processing would continue to be done as a priority.

Best regards,
Regina

From: Carey Gillam <careygillamnewsnow@gmail.com>
Sent: Friday, March 1, 2019 1:31 PM
To: NIEHS FOIA Office <niehsfoia@niehs.nih.gov>
Cc: Livingston, Tony (NIH/NIEHS) [E] <tony.livingston@nih.gov>
Subject: Re: follow up to discussion re FOIA requests NIH 47876 and NIH 50468

Thank you so much for talking with me today.

I would add only one thing to this - In both my original FOIA requests I sought email communications discussing glyphosate and glyphosate formulations without the additional terms of CropLife, Monsanto and/or EPA. I understand that request generated far too many documents to be reasonable to provide. There is the possibility, however, that this much more narrow search may yield nothing at all and miss many key documents that pertain to my query. Thus, if this modified request does not provide many/any responsive documents, I would like to reserve the right to renew the request a broader search, though not as broad as my original requests. If we do need to broaden it out we could do as we discussed and just use a much more tight time frame.

With all that for consideration, I do indeed agree with the plan you laid out and confirm that based upon those terms I am (1) withdrawing FOIA request NIH 47876 and (2) modifying FOIA request NIH 50468 as outlined in this message. This is based on your assurance that this in no way changes my 'place in line' or priority status for completion of my initial request for these records in May of 2018.

Thank you so much for all you do.

Best regards,

Carey Gillam

**Author of *Whitewash - The Story of a Weed Killer, Cancer and the Corruption of Science* Winner
- 2018 Rachel Carson Book Award**

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On Fri, Mar 1, 2019 at 12:09 PM NIEHS FOIA Office <niehsfoia@niehs.nih.gov> wrote:

ED_002682_00094144-00001

Good afternoon Carey –

Thank you again for taking the time to discuss your older FOIA request, NIH 47876, and your new FOIA request, NIH 50468, with me and Tony today. When you have a chance to consider this email fully, please respond to confirm that you are withdrawing FOIA request NIH 47876 and modifying FOIA request NIH 50468 as outlined here.

Specific to withdrawing FOIA request NIH 47876 – as discussed, this request is very similar in nature to your new FOIA request 50468, and we appreciate your willingness to withdraw your older request. I want to stress your decision to withdraw this request will not adversely affect your standing in our queue – your new FOIA request, NIH 50468, will be treated as a priority instead of that older request.

Specific to modifying your new FOIA request, NIH 50468 – based on our conversation we would move forward with processing your request as follows:

- Any emails sent or received (to, from, cc, bcc) by any of the following individuals:
 - Linda Birnbaum
 - Rick Woychik
 - Jed Bullock
 - Michael (Mike) DeVito
 - Stephen Ferguson
 - Julie Rice
 - Donald (Don) Stump
- During the period Jan 1, 2016 – Feb 14, 2019
- That meet either of the following criteria:
 - Includes the term glyphosate in the email subject or message body AND was sent or received (to, from, cc, bcc) by Janet Collins or anyone at the following organizations: CropLife America (@croplifeamerica.org), Monsanto (@monsanto.com), or EPA (@epa.gov)
 - Includes the term glyphosate in the email subject or message body AND also references one or more of the following organizations in the email subject or message body CropLife America, Monsanto, or Environmental Protection Agency (or its acronym EPA)

For processing records, if there is a high volume of responsive records we will be back in-touch to provide you with an update and confirm that you would like us to focus initial processing on those records falling between Mar 1, 2016 through Dec 31, 2016 (as well as other options, such as whether you would like us to process emails to provide without attachments initially in order to get some records to you sooner).

Please let us know if you would like to make any changes or discuss further. Otherwise, at your first opportunity, please respond and confirm that you are (1) withdrawing FOIA request NIH 47876 and (2) modifying FOIA request NIH 50468 as outlined in this message.

Best regards,

Regina

Regina Stabile, J.D.

FOIA Public Liaison and Privacy Act Coordinator

Office of Communications and Public Liaison

National Institute of Environmental Health Sciences

National Institutes of Health

U.S. Department of Health and Human Services

984-287-3324